

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

|                           |   |                  |
|---------------------------|---|------------------|
| UNITED STATES OF AMERICA, | ) |                  |
|                           | ) |                  |
| Plaintiff,                | ) |                  |
|                           | ) |                  |
| v.                        | ) | No. 3:08-CR-50   |
|                           | ) | (VARLAN SHIRLEY) |
| PAUL ANDREW AUKER,        | ) |                  |
|                           | ) |                  |
| Defendant                 | ) |                  |

ORDER OF DETENTION PENDING TRIAL

The above-named defendant appeared in custody before the undersigned on April 23, 2008, for a scheduled detention hearing. Assistant United States Attorney D. Gregory Weddle was present for the government and Kim A. Tollison, Federal Defender Services, was present representing the defendant. Counsel for the defendant advised this Court that the defendant would execute a waiver reserving his right to move for a detention hearing at a later date. The defendant executed the appropriate waiver.

The defendant is aware of his rights to a detention hearing and to require the government to meet its burden of proving that no conditions of release exist which will reasonably assure his appearance in court and the safety to the community. The defendant understands that if he waives his detention hearing, he

will remain in custody pending trial. The defendant had no questions and understood his rights and the consequences of waiving those rights.

Accordingly, the defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

**IT IS SO ORDERED.**

s/C. Clifford Shirley, Jr.  
UNITED STATES MAGISTRATE JUDGE